

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-hc-02243-M

CHRISTOPHER WAYNE SANDLIN,

Petitioner,

v.

STATE OF NORTH CAROLINA,

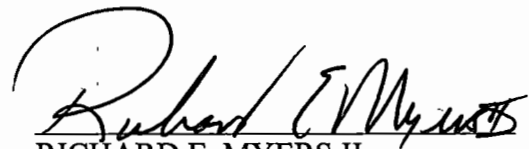
Respondent.

ORDER

On August 26, 2019, Christopher Wayne Sandlin ("petitioner"), a state pretrial detainee, filed pro se a petition seeking a writ of habeas corpus under 28 U.S.C. § 2241. [D.E. 1]. On August 27, 2019, the court issued an order of deficiency because petitioner had neither (1) filed on the forms prescribed for use by this court, nor (2) paid the filing fee or applied to proceed without prepayment of fees. [D.E. 3]. The court warned petitioner that failure to correct the deficiencies within 21 days may result in the dismissal of this action without prejudice for failure to prosecute. Id. Petitioner paid the filing fee and filed letters seeking to amend the petition. See [D.E. 4, 5]. Petitioner, however, did not re-file his petition on the forms prescribed for use by this court.

Because petitioner failed to fully comply with the order of deficiency and the time to do so has passed, the court DISMISSES WITHOUT PREJUDICE the action for failure to prosecute and DENIES a Certificate of Appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000). The clerk shall close the case.

SO ORDERED, this 10th day of January, 2020.


RICHARD E. MYERS II
United States District Judge